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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/712,240

11/13/2003

Curtis Woods

12406/99

9480

26646

7590

05/18/2007

KENYON & KENYON LLP
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NEW YORK, NY 10004

EXAMINER

FLORES SANCHEZ, OMAR

ART UNIT

PAPER NUMBER

3724

MAIL DATE

DELIVERY MODE

05/18/2007

PAPER,

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/712,240

Applicant(s)

WOODS ET AL.

Examiner

Omar Flores-Sánchez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to applicant's amendment received on 02/20/07.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 8, 16, 22 and 25-27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claims 8, 16, 22 and 25-27 recite the limitation "the angular wall". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-7, 9, 10, 12-15, 17-24, 28, 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts (PCT WO 01/76708 A1) in view of Schick (2,049,140).

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Regarding claims 1, 4, 5, 13, 18, 19, 24, 28, 29 and 30, Roberts discloses the invention substantially as claimed including at least one drawer 300, at least one slot 340, at least one ticket bin 322. The bins of Roberts are capable of being in any position inside the drawer. Roberts doesn't show a housing having a transparent panel and drawers, which are movable between extended and retracted positions. However, Schick teaches the use of a housing having a transparent panel 14 and drawers 16, which are movable between extended and retracted positions for the purpose of providing protection to a plurality of articles and full display of the articles. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the device of Roberts by providing the housing having the transparent panel and drawers, which are movable between extended and retracted positions as taught by Schick in order to obtain a device that provides protection to a plurality of tickets and full display of the tickets.

Also, Roberts discloses:

- Claim 2; a plurality of drawers vertically arranged in the housing (see Fig. 21).
Also, the Schick teaches a plurality of drawers 16 vertically arranged in the housing (see Fig. 2).
- Claim 3; a plurality of ticket bins (320, 322, 324, 326) horizontally arranged on each drawer.
- Claims 6, 14 and 20; a bulkhead 314.
- Claims 7, 15 and 21; a generally planar bottom 302 and a pair of spaced flanges 321.

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- Claims 9, and 13; a power separator 176.
- Claims 10 and 13; a powered ticket transport mechanism 178.

7. Claims 11, 17 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schafer et al. (6,230,926 B1) in view of Schick (2,049,140) and Robert et al. (6,726,077) as applied to claims 1, 13 and 19 above, and further in view of Osawa (6,527,129 B2).

The modified device of Roberts discloses (Fig. 1-14) the invention substantially as claimed except for a plurality of sockets and tabs. Osawa teaches the use of a plurality of sockets 102 and tabs 112C for the purpose of quickly attaching different size products. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the device of Roberts by providing the plurality of sockets and tabs as taught by Osawa in order to obtain a device that quickly attaching different size products.

Allowable Subject Matter

8. Claims 8, 16, 22 and 25-27 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Response to Arguments

9. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

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Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Roberts et al. is cited to show a related device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Omar Flores-Sánchez whose telephone number is 571-272-4507. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley can be reached on 571-272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



BOYER D. ASHLEY
SUPERVISORY PATENT EXAMINER

ofs
5/14/07